

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WYNDHOLME VILLAGE, LLC, et al.,*

Plaintiffs and Counter-Defendants*

v. * Civil Action No. L01-3809

NADIF OF WYNDHOLME, LLC, et al.,*

Defendants and Counter-Plaintiffs*

* * * * *

MOTION TO COMPEL DEFENDANT STUART C. FISHER
TO ANSWER INTERROGATORIES AND TO APPEAR AT DEPOSITION

Now come the Plaintiffs/Counter-Defendants, Wyndholme Village, LLC, James M. Lancelotta, and Katherine A. Lancelotta, by and through their attorneys, Howard J. Schulman and Schulman & Kaufman, LLC, and state:

1. On August 19, 2002, Plaintiffs propounded interrogatories to Defendant Stuart C. Fisher. On approximately October 11, 2002, Plaintiffs propounded a supplemental set of interrogatories to Fisher. Plaintiffs served Fisher with a third set of interrogatories on January 28, 2003. All three sets have gone unanswered.

2. On February 4, 2003, Plaintiffs noted Stuart C. Fisher's deposition for February 19, 2003. Defendant Fisher contacted undersigned counsel shortly after his deposition had been noted and advised that he would not be appearing at deposition. February 19, 2003, however, was the day after President's Day and the monumental snowstorm that struck this area and other areas along the East Coast. Plaintiffs thereafter noted Mr. Fisher's deposition for March 14, 2003. Again, Defendant Fisher advised

undersigned counsel by telephone that he would not appear, and he did not appear.

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request an order of the Court that Defendant Fisher respond to Plaintiffs' three sets of interrogatories by on or before April 11, 2003 and that Defendant Fisher appear for deposition on April 16, 2003.

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Attorneys for Plaintiffs and
Counter-Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of March, 2003, copies of Plaintiffs' Motion to Compel Defendant Stuart C. Fisher to Answer Interrogatories and to Appear at Deposition were sent via ECF to William C. Sammons, Esquire, Stephen M. Goldberg, Esquire, Tydings & Rosenberg, LLP, 100 E. Pratt Street, 26th Floor, Baltimore, Maryland 21202, attorneys for Defendants/Counter-Plaintiffs, and via first-class mail, postage prepaid, to Stuart C. Fisher, 173 Root Trail, Palm Beach, Florida 33480.

Howard J. Schulman